

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3215

(202) 326-7900

FACSIMILE:
(202) 326-7999

June 21, 2019

Via ECF and Email

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of the Kingdom of Saudi Arabia (“Saudi Arabia”), pursuant to ¶ III(d) of the Court’s Individual Practices in Civil Cases, concerning Saudi Arabia’s Opposition to Plaintiffs’ Motion to Compel the Federal Bureau of Investigation to Produce Documents that Saudi Arabia is submitting today in response to Plaintiffs’ motion to compel filed on May 31, 2019.

Saudi Arabia’s opposition discusses information subject to the Privacy Act Order and Protective Order for FBI Documents (ECF No. 4255). Saudi Arabia has submitted its proposed redactions to the FBI via the United States Attorney’s Office for the Southern District of New York, and the FBI is currently reviewing them. Saudi Arabia’s opposition further discusses information that has been designated Confidential under the MDL Protective Order (ECF No. 1900). This information is properly redacted from public filing because it is subject to the Vienna Conventions, discusses sensitive internal communications to or from high-level Saudi Arabian officials, consists of pre-decisional documents subject to the deliberative process privilege, and implicates the privacy of innocent third parties. *See* ECF No. 4361.

In particular, Saudi Arabia is requesting redactions concerning parts of its brief that discuss Hunt Exhibit 16, which is a document Bates-numbered KSA0000000556 and which is confidential for reasons addressed on page 9 of Exhibit A to Saudi Arabia’s January 15, 2019 submission to the Court. Saudi Arabia is also requesting redactions concerning parts of its brief that discuss Hunt Exhibit 15, which is a document Bates-numbered KSA0000006903 and which is confidential because it is subject to the Vienna Convention on Diplomatic Relations.

Immediately after the filing of this letter, counsel for Saudi Arabia will submit to chambers by electronic mail: (1) a copy of this letter; (2) a complete copy of Saudi Arabia’s

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opposition to Plaintiffs' motion to compel, with all proposed redactions of information subject to the FBI Protective Order shown in red highlighting and all proposed redactions of information subject to the MDL Protective Order shown in yellow highlighting; and (3) clean copies of only those pages of Saudi Arabia's letter response as to which any redaction is proposed. Counsel for Plaintiffs, for the United States, and for Dallah Avco will be copied on the submission to chambers.

Saudi Arabia respectfully requests that the Court accept this letter filing, subject to its resolution of the disputed confidentiality issues that have already been briefed by the parties.

Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: Chambers of the Honorable George B. Daniels (via overnight mail)
All MDL counsel of record (via ECF)